

## **505 KAR 2:030. Personnel.**

RELATES TO: KRS 15A.210-15A.240

STATUTORY AUTHORITY: KRS 15A.210

NECESSITY, FUNCTION, AND CONFORMITY: KRS 15A.210 mandates that the Department of Juvenile Justice issue administrative regulations governing juvenile detention centers and juvenile holding facilities.

Section 1. (1) The facility shall adopt and enforce written policies and procedures which:

- (a) Provide for lateral entry as well as promotion from within the organization;
- (b) Require that a criminal record check be conducted on new employees;
- (c) Require that a copy of all personnel policies and administrative regulations is made available to all employees. Each employee shall sign a statement acknowledging receipt of the personnel policies and administrative regulations and his or her responsibility for being aware of their contents;
- (d) Require a current and accurate personnel record and separate health record for each employee;
- (e) Provide for provisional appointments to ensure the availability of personnel for short-term, full-time or part-time work in emergency situations;
- (f) Provide for a written annual performance evaluation of all employees, which is based on defined criteria and is reviewed and discussed with the employee;
- (g) Provide that employees are reimbursed for all approved expenses incurred in the performance of their duties; and
- (h) Ensure that consultants, contract personnel and volunteers who work with juveniles comply with the facility's policies on confidentiality of information.

(2) If a county is operating the facility, the personnel policies shall be consistent with the county policies; otherwise, there shall be a personnel policy manual which covers, at a minimum:

- (a) Organization;
  - (b) Recruitment policies and procedures;
  - (c) Employment practices and procedures;
  - (d) In-service training;
  - (e) Promotion;
  - (f) Job qualifications, descriptions and responsibilities;
  - (g) Grievance procedures;
  - (h) Employee evaluation;
  - (i) Physical fitness policy;
  - (j) Personnel records;
  - (k) Benefits, holidays, leave and work hours;
  - (l) Basis for determining salaries;
  - (m) Disciplinary procedures;
  - (n) Retirement;
  - (o) Resignation and termination;
  - (p) Staff-juvenile relationships; and
  - (q) Equal employment opportunity provisions.
- (3) The administrator shall review the facility's personnel policy annually and submit recommended changes to the parent agency or governing board.
- (4) Written policy shall specify that equal employment opportunities exist for all positions. When deficiencies exist in regard to the utilization of minority groups and women, the facility

can document the implementation of an affirmative action program approved by the appropriate government agency, showing annual reviews and necessary changes required to keep it current.

(5) The facility administration shall have a written policy and procedure that does not categorically exclude employment of ex-offenders.

(6) A written procedure shall exist whereby the employee can challenge information in his or her personnel file and have it corrected or removed if it proves to be inaccurate.

(7) The facility administrator shall be appointed by the chief executive officer with approval of the governing body.

(8) If the facility is operated by a county, the education and experience of the administrator shall be determined by statute governing county employment. Otherwise, the education and experience qualifications of the facility administrator shall be specified in writing by the appointing authority and include, at a minimum, a bachelor's degree in an appropriate discipline, two (2) years of experience working with juveniles, and three (3) years in staff supervision and administration; and/or, the completion of a career development program which includes work-related experience, training, or college credits providing a level of achievement equivalent to the bachelor's degree.

(9) If the facility is operated by a county, the term of the facility administrator shall be determined by statutes governing county employment. Otherwise, the term of the facility administrator is continuous and may be terminated only by the appointing authority for good cause and subsequent to a formal hearing on specific charges, if requested.

(10) The facility and/or parent agency administration shall systematically determine personnel requirements in all categories of employees working directly with juveniles in order to ensure access to staff and availability of services; personnel requirements are reviewed at least annually.

(11) There shall be a written grievance procedure for employees, which is available to them and which has been approved by the parent agency.

(12) Resident data shall be kept and transmitted to the Department of Juvenile Justice in a prescribed manner as identified by the Department of Juvenile Justice. This data shall include but not be limited to:

(a) Admissions and releases;

(b) Special incident reporting forms.

(13) After juvenile detention facilities are provided the Automated Fingerprint Identification System (AFIS) by the Kentucky State Police, each juvenile detained in any detention facility shall be fingerprinted by facility staff. The prints shall be kept at the facility for identification purposes and distributed to other approved agencies as required or needed. (26 Ky.R. 1273; 1544; eff. 2-14-2000; Crt eff. 3-13-2019.)